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BAY AREA RAPID TRANSIT DISTRICT

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

11 PATRICIA NASH, ) NO. C 05 5307 VRW  
12 Plaintiff, )  
13 vs. ) [PROPOSED] ORDER  
14 BAY AREA RAPID TRANSIT DISTRICT, DOES ) GRANTING MOTION FOR  
1- 40, ) SUMMARY JUDGMENT, OR IN  
15 ) THE ALTERNATIVE, PARTIAL  
16 ) SUMMARY JUDGMENT  
17 ) Date: March 20, 2008  
18 ) Time: 2:30 p.m.  
Defendants. ) Courtroom: 6 - 17<sup>th</sup> Floor  
 ) Honorable Vaughn  
 ) R. Walker  
 ) Trial Date: April 14, 2008

19 The motion of defendant Bay Area Rapid Transit District (“BART”) for summary judgment, or  
20 in the alternative, partial summary judgment, came on regularly for hearing on March 20, 2008 at 2:30  
21 p.m. in courtroom 6 of the above-entitled court. Mark F. Hazelwood and Laura Flynn of Low, Ball &  
22 Lynch appeared on behalf of defendant BART. Richard Kashdan appeared on behalf of plaintiff Patricia  
23 Nash.

24 After considering the moving and opposition papers, all other matters presented to the court, and  
25 after oral argument, the court finds that there is no material issue of fact and defendant BART is entitled  
26 to judgment as a matter of law.

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Accordingly, it is hereby ordered that defendant BART's motion for summary judgment is granted.

IT IS ORDERED.

Dated:

By \_\_\_\_\_  
THE HONORABLE VAUGHN R. WALKER  
U.S. DISTRICT JUDGE